United Nations CCPR/C/SR.3045

International Covenant on Civil and Political Rights

Distr.: General
11 June 2014

English
Original: French

Human Rights Committee
110th session

Summary record of 3045th meeting
Held at the Palais Wilson, Geneva, on Friday, 14 March 2014, at 10 a.m.

Chairperson: Sir Nigel Rodley

Contents

Consideration of reports submitted by States parties under article 40 of the Covenant (*continued*)

Fourth periodic report of the United States of America (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Editing Section, room E.5108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.14-41762 (E) 300514 110614

1441762

Please recycle

The meeting was called to order at 10.05 a.m.

Consideration of reports submitted by States parties under article 40 of the Covenant *(continued)*

Fourth periodic report of the United States of America (continued)
(CCPR/C/USA/4; CCPR/C/USA/Q/4 and Add.1; HRI/CORE/USA/2011)

1. *At the invitation of the Chairperson, the delegation of the United States of America took places at the Committee table.*

2. **The Chairperson** invited the delegation to reply to the questions asked by the Committee at the previous meeting.

3. **Mr. Hood** (United States of America) said that, since 2012, the substance injected in death row inmates in Mississippi was pentobarbital, an anaesthetic commonly used in surgery. Thanks to the current widespread recourse to DNA testing by the courts, victims of miscarriages of justice had been able to obtain justice. Each year, the sum of $30,000 in damages was paid to those wrongfully convicted or their relatives.

4. **Mr. Austin** (United States of America) said that, over the previous five years, 240 law-enforcement officers had been convicted of offences, while others were being prosecuted for racial profiling across the country. Regarding the case of the students killed or injured on the Kent State University campus during anti-Viet Nam war protests, in 1970 he said that eight public officials involved in the shooting had been tried in 1974 and had been acquitted for lack of evidence. Although new evidence had come to light that could undermine the ruling, the case could not be reopened because the statute of limitations had expired. Since 2011, five police officers had been prosecuted for misuse of an electrodirect (Taser) weapon. In Pennsylvania, a police officer who had used one against a suspect in handcuffs had been sentenced to prison. The National Institute of Justice was currently researching the dangers associated with the use of such weapons. In 2013, the Department of Justice had criticized the self-defence laws adopted by some states, on the grounds that they unduly broadened the concept and aggravated inter-community tensions. The United States Commission on Civil Rights was currently reviewing those laws to determine whether their provisions were discriminatory.

5. **Ms. Mack** (United States of America) said that 1,200 incidents had been reported since 2010, in which stones had been thrown at customs and border protection agents of the Department of Homeland Security. In 43 cases, the agents had responded with lethal force, killing 10 people. The Department had very recently issued guidelines clearly stating to personnel that firearms could be used only in case of imminent danger of death or grievous bodily harm. An emergency hotline had been set up for individuals to submit different types of complaints, including racial profiling by the police. Complaints were then referred to the Department's Office for Civil Rights and Civil Liberties. A number of awareness-raising activities had been carried out to ensure that the programme to increase community security and the agreements concluded pursuant to section 287 (g) of the Immigration and Nationality Act did not encourage more widespread racial profiling. The cases reported in the media of migrants in an irregular situation being repatriated while in hospital were the result of decisions taken by the hospitals concerned and did not in any way stem from government policy.

6. **Ms. Jones** (United States of America) said that the federal Government was taking steps to ensure that the Arizona law forcing civil servants to report migrants in an irregular situation did not dissuade such migrants from claiming the services and medical care to which they were entitled.

[redacted]

[redacted]

[redacted]

[redacted]